

Grievance Redressal Forum

TPWODL, BURLA

Quarter No: SD-6/2, Sourav Vihar, Near NAC College,

Burla, Sambalpur, Pin- 768017

Email: grf.burla@tpwesternodisha.com, Ph No.0663-2999601**Bench: A.K.Satpathy, President B.Mahapatra (Co-opted Member) and A.P.Sahu, Member (Finance)**

Ref: GRF/Burla/Div/SED/ (Final Order)/ 1861 (4)

Date: 31/07/24

Present: Sri A.K.Satpathy, President.
Sri B.Mahapatra (Co-opted Member),
Sri A.P.Sahu Member(Finance).

1	Case No.	BRL/456/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Sanjukta Nath C/o- Naresh Kumar Nath At/po-Goudapada,Hirakud Dist- Sambalpur.		NSC	9861097418
3	Respondent/s	SDO(Electrical), Hirakud,TPWODL,		Division S.E.D, TPWODL, Sambalpur	
4	Date of Application	02.07.2024			
5	In the matter of-	1. Agreement/Termination	X	2. Billing Disputes	√
		3. Classification/Reclassification of Consumers	X	4. Contract Demand Connected Load	X
		5. Disconnection / Reconnection of Supply	X	6. Installation of Equipment & apparatus of Consumer	X
		7. Interruptions	X	8. Metering	X
		9. New Connection	X	10. Quality of Supply & GSOP	X
		11. Security Deposit / Interest	X	12. Shifting of Service Connection & equipments	X
		13. Transfer of Consumer Ownership	X	14. Voltage Fluctuations	X
		15. Others (Specify) -X			
6	Section(s) of Electricity Act, 2003 involved				
7	OERC Regulation(s) with Clauses	1. OERC Distribution (Conditions of Supply) Code,2019 √			
		2. OERC Distribution (Licensee's Standard of Performance) Regulations,2004			
		3. OERC Conduct of Business) Regulations,2004			
		4. Odisha Grid Code (OGC) Regulation,2006			
		5. OERC (Terms and Conditions for Determination of Tariff) Regulations,2004			
		6. Others			
8	Date(s) of Hearing	20.07.2024			
9	Date of Order	31/07/24			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

Place of Camp: GRF Office, Burla, TPWODL, Sambalpur.



Appeared

For the Complainant- Sanjukta Nath

W/o Naresh Ku Nath

For the Respondent - SDO(Elect.), Hirakud, TPWODL.

GRF Case No- BRL/456/2024

COMPLAINANT

(1) Sanjukta Nath
W/o- Naresh Kumar Nath
At/po-Goudapada, Hirakud
Dist- Sambalpur.

VRS

OPPOSITE PARTY

(1) SDO(Elect.), Hirakud, TPWODL

GIST OF THE CASE

The Complainant has filed the petition in the name of Sanjukta Nath w/o Naresh Ku Nath under SED, TPWODL, Sambalpur stated about non-release of new service connection (Domestic single phase) although applied on 01.04.2024 having UPAN- TPW10706011 where found paid of Rs 4658/-. Besides these, the complainant has submitted the legal heir certificate issued by Tahsildar, Sambalpur on 07.10.2009 as well as copy of application in favour of section officer (ESO-I, Hirakud) for disconnection of supply line of qtr. no.G15/10, Hirakud stands in the name of the complainant's father-in-law.

Hence, the Complainant prayed before the Forum to consider the case.

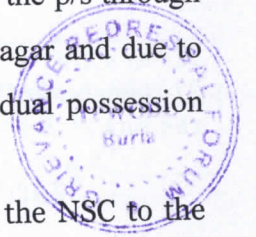
SUBMISSION OF OPPOSITE PARTY

The Opposite Party has submitted w/s in this case on 20.07.2024 during hearing in GRF Office.

OBSERVATION

The case is pursued with all documents available in records. On examining the case in details, the Forum observed that the complainant has not been released the NSC although ~~the~~ applied on 01.04.2024 with required payments for the same. The opposite party is denying to release the NSC on the ground that there is outstanding an amount of Rs 1,86,925/- in the name of complainant's father-in-law. This Forum has gone through the grievance application of the complainant as well as w/s of the opposite party and found that there was no relation of the complainant with her father-in-law as because the name of Sri Naresh Ku Nath H/o of the complainant not in legal heir certificate issued by competent authority on 07.10.2009. Further, the opposite party cannot deny or hold the NSC implementing the regulation 17(i) of OERC Distribution (Conditions of Supply) Code, 2019- on the ground of non-clearance of arrear as not applicable in this case. However, the opposite party is having all the rights to recover the outstanding dues those have used it during the periods. As it is seen from the legal heir certificate, names of wife and 03 daughters is in the legal heir certificate and it is the duty and responsibility of the opposite party to verify properly enquiring the same from all angles. During the course of hearing, the complainant has stated that Smt. Puspa Biswal is staying at Bhalupali, Sambalpur, Smt. Minati Senapati is staying at any place of Jharsuguda, Smt. Bharati Panda is staying at Hanuman colony, Sakhipada, Sambalpur and Smt. Seeta Nath has already been expired. Hence, the opposite party to enquire the matter and recover the outstanding on consumer no 4118-3416-0057 as per guidelines may be followed by disconnection/transfer the amount as per pro-rata allotment to the legal heirs with reference to Reg.175. However, it came to the notice of the Forum that, the constructed house over the land not belongs to the complainant where it is seen that the landed property is situated within NAC area of Hirakud/coming under Revenue Dept. In this regard, the

complainant is supposed to produce the NOC(No Objection Certificate) of NAC,Hirakud/ Revenue Dept along with indemnity bond to opposite party before release of NSC otherwise no such connection to be allowed. Further, it is also seen from the w/s of the opposite party that Smt Nath has purchased the personal land from Sashibhusan Bagar of Goudapada whose arrear of Rs 1,19,889.10/- till Jun'2024. The sale/purchase have not valid unless registered in Sub-Registrar Office of Revenue Dept. But, sale of portion does not mean that transfer of all the liabilities as Sri Bagar is yet alive and using the p/s through consumer no.4118-3413-0103 to be taken care by opposite party for recovery from Sri Bagar and due to such transaction, the landed property to be treated as separate to each other with individual possession thereon.



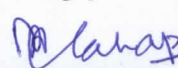
Hence, the Forum is in the opinion that the Opposite party is liable to release the NSC to the complainant after submission of NOC of NAC,Hirakud/ Revenue Dept along with indemnity bond and not to claim the arrear/part of arrear from the complainant stands in the name of Late Sahadev Nath (father-in-law of the complainant) bearing consumer no.4118-3416-0057. The complainant is supposed to produce the documents as mentioned to opposite party for availing NSC. The opposite party will recover the outstanding amount on consumer no.4118-3416-0057 after proper enquiry thereon followed by disconnection/filing of suit/transfer of arrear amount after pro-rata allotment w.e.f to Reg.175 to legal heirs of Late Sahadev Nath. Further, not claim the arrear from consumer no.4118-3413-0103 from the complainant. For recovery the opposite party may seek the assistance of Enforcement/Legal Dept. of TPWODL.

ORDER


Considering the documents and statements submitted by both the parties at the time of hearing, the Forum hereby passes orders that:

- 1. The Opposite Party is directed to release the NSC to the complainant after submission of NOC of NAC,Hirakud/ Revenue Dept along with indemnity bond and not to claim the arrear/part of arrear from the complainant stands in the name of Late Sahadev Nath (father-in-law of the complainant) bearing consumer no.4118-3416-0057 and recover the outstanding amount on consumer no.4118-3416-0057 after proper enquiry thereon followed by disconnection/filing of suit/transfer of arrear amount after pro-rata allotment w.e.f to Reg.175 to legal heirs of Late Sahadev Nath. Further, not claim the arrear from consumer no.4118-3413-0103 from the complainant. For recovery the opposite party may seek the assistance of Enforcement/Legal Dept. of TPWODL.*
- 2. The complainant is directed to produce the documents as mentioned to opposite party for availing NSC.*
- 3. Opposite party is directed to submit the compliance report to this Forum within one month from the date of issue of this order as the case may be.*

Accordingly, the case is disposed of.


(B.Mahapatra)

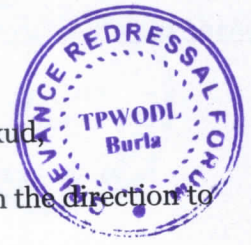
(Co-Opted Member)
Co-opted Member
Grievance Redressal Forum
TPWODL, Burla - 768017
Final Order(GRF Case No.BRL/456/2024)


(A.P. Sahu)

Member (Finance)
Member
Grievance Redressal Forum
TPWODL, Burla - 768017
Page 3 of 4


(A.K.Satpathy)

President
President
Grievance Redressal Forum
TPWODL, Burla - 768017



- Copy to: -** (1) Sanjukta Nath, C/o- Naresh Kumar Nath, At/po-Goudapada, Hirakud, Dist- Sambalpur.
(2) Sub-Divisional Officer (Elect.), Hirakud, TPWODL, Sambalpur with the direction to serve one copy of the order to the Complainant/Consumer.
(3) Executive Engineer (Elect.), SED, TPWODL, Sambalpur.
(4) The Chief Legal-cum-Nodal Officer, TPWODL, Burla for information.

"If the complainant is aggrieved either by this order or due to non-implementation of the order of the Grievance Redressal Forum in time, he/she is at liberty to make representation to the Ombudsman-II, Qrs. No.3R-2(S), GRIDCO Colony, P.O:Bhoinagar, Bhubaneswar-751022 (Tel No. 0674-2543825 and Fax No. 0674-2546264) within 30 days from the date of this order of the Grievance Redressal Forums."

This Order can be accessed on OERC website, www.orienc.org under the "head "Cases->"GRF".